HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE G. BHAVANI PRASAD

WRIT PETITION No.3194 of 2007

Date: 20-02-2007.

Between :

M/s.Shree Baidyanath Ayurvedic Bhavan Private Ltd, Hyderabad, rep. by its Depot Manager.

.....Petitioner

And

The Addl. Commissioner of Commercial Taxes (Legal), Hyderabad & others.

.....Respondents.

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AND
HON'BLE SRI JUSTICE G. BHAVANI PRASAD

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ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

The controversy is that pending an appeal, application for stay was dismissed by the competent authority. We have gone through the record. We feel that the interest of justice would have been met if stay was granted pending appeal, subject to deposit of half of the liability. Therefore, we set aside the order of the authority and direct that half of the disputed tax liability shall be paid by the petitioner within a period of four weeks. For four weeks, there shall be an unconditional stay and the stay shall continue till disposal of the appeal, provided the amount is deposited within four weeks. The deposit of amount shall be without prejudice to the rights of the petitioner in the appeal. If any amount has already been

paid by the petitioner, the same shall be given credit.

Writ Petition is disposed of accordingly. No costs.

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BILAL NAZKI, J

20th February 2007.

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G. BHAVANI PRASAD, J

ajr